

1 Christina N. Goodrich (SBN 261722)
christina.goodrich@klgates.com
2 Cassidy T. Young (SBN 342891)
cassidy.young@klgates.com
3 K&L GATES LLP
10100 Santa Monica Boulevard
4 Eighth Floor
Los Angeles, CA 90067
5 Telephone: +1 310 552 5000
Facsimile: +1 310 552 5001
6

[Additional counsel on signature page]

7 **Attorneys for Plaintiff**
8 **Entropic Communications, LLC**
9

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **SOUTHERN DIVISION**

13 ENTROPIC COMMUNICATIONS, LLC,
14 Plaintiff,
15 v.
16 COX COMMUNICATIONS, INC., *et al.*,
17 Defendants.
18

19 ENTROPIC COMMUNICATIONS, LLC,
20 Plaintiff,
21 v.
22 COMCAST CORPORATION, *et al.*,
23 Defendants.
24
25
26
27
28

Case No.: 2:23-cv-01049-JWH-KES
(Lead Case)
Case No.: 2:23-cv-01050-JWH-KES
(Related Case)

[Assigned to the Honorable John W.
Holcomb]

**PLAINTIFF ENTROPIC'S
APPLICATION TO FILE
DOCUMENTS UNDER SEAL
REGARDING PLAINTIFF'S
CORRECTED SECOND AMENDED
COMPLAINT; DECLARATION OF
CASSIDY T. YOUNG; [PROPOSED]
ORDER**

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Pursuant to Central District of California Local Rule 79-5.2.2(a), Plaintiff Entropic Communications, LLC (“Entropic” or “Plaintiff”) hereby applies for an order sealing **unredacted** information referenced in Entropic’s Corrected Second Amended Complaint, which contains details related to a confidential agreement between Defendant Comcast and a third-party entity.

Each portion of the documents referenced in the chart below have been designated as confidential pursuant to agreements reached between third parties or have been filed under seal by Defendant Comcast. (*See* Decl. of Cassidy T. Young in Support of Entropic’s Application to File Documents Under Seal, ¶ 4.) Entropic, therefore, applies to file such documents and information under seal pursuant to Local Rule 79-5.2.2(a).

The information to be sealed is identified below:

Item to be Sealed Pursuant to L.R. 79-5.2.2(a)	Description of Information
Entropic’s Corrected Second Amended Complaint against Defendant Comcast (“SAC”) at ¶¶ 32-36, including footnotes 4 and 5.	Terms of confidential agreement between Entropic and a third-party entity.
Entropic’s SAC at Subheading A and B and ¶¶ 38-66, including footnote 6.	Terms of confidential agreement between Comcast and a third-party entity.
Entropic’s SAC at ¶¶ 148-50.	Terms of confidential agreement between Comcast and a third-party entity.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	A portion of Entropic's SAC at ¶ 152.	Terms of confidential agreement between Comcast and a third-party entity.
	Portions of Entropic's SAC at ¶ 154.	A letter between Comcast and Entropic that Comcast filed under seal.
	Entropic's SAC at Subheading 5 and ¶¶ 186-88.	Terms of confidential agreement between Comcast and a third-party entity.
	Entropic's SAC at ¶ 225.	Terms of confidential agreement between Comcast and a third-party entity.
	Entropic's SAC at ¶ 229.	Terms of confidential agreement between Comcast and a third-party entity.
	Entropic's SAC at ¶ 256.	Terms of confidential agreement between Comcast and a third-party entity.
	A portion of Entropic's SAC at ¶ 260.	Terms of confidential agreement between Comcast and a third-party entity.
	A portion of Entropic's SAC at ¶ 289.	Terms of confidential agreement between Comcast and a third-party entity.
	A portion of Entropic's SAC at ¶ 318.	Terms of confidential agreement between Comcast and a third-party entity.
	A portion of Entropic's SAC at ¶ 347.	Terms of confidential agreement between Comcast and a third-party entity.
	A portion of Entropic's SAC at ¶ 376.	Terms of confidential agreement between Comcast and a third-party entity.
	A portion of Entropic's SAC at ¶ 403.	Terms of confidential agreement between Comcast and a third-party entity.
	A portion of Entropic's SAC at ¶ 436.	Terms of confidential agreement between Comcast and a third-party entity.

1 Pursuant to Local Rule 79-5.2.2(a), Entropic applies to file under seal the
2 documents listed above. Under Rule 79-5.2.2(a), a party may seek leave to file a
3 document under seal so long as the Application describes the nature of the information
4 that should be closed to public inspection and is accompanied by: (1) a declaration
5 establishing good cause why the strong presumption of public access in civil cases
6 should be overcome and informing the Court whether anyone opposes the Application;
7 (2) a proposed order; (3) a redacted version of the relevant documents; and (4) an
8 unredacted version of the relevant documents. Entropic has complied with these
9 requirements. The information that Entropic seeks to seal is contained within: (1) a
10 confidential agreement between Comcast and a third-party entity; (2) a confidential
11 agreement between Entropic and a third party; and (3) a letter between Entropic and
12 Comcast that Comcast filed under seal. The public does not have an interest in
13 accessing this confidential information. Additionally, Entropic's request is narrowly
14 tailored to only prevent the public from viewing confidential information. Finally,
15 counsel for Comcast has not indicated whether they oppose Entropic's under seal filing.

16 Therefore, compelling reasons exist to seal the highlighted portions of the above
17 documents. *See Aya Healthcare Servs., Inc. v. AMN Healthcare, Inc.*, 2020 WL
18 1911502, at *5 (S.D. Cal. Apr. 20, 2020) ("The Court agrees that compelling reasons
19 exist to seal references . . . to Defendants' proprietary business records that detail
20 sensitive financial terms, proprietary business strategies, and confidential negotiations
21 and agreements with third parties."); *In re Qualcomm Litig.*, 2019 WL 1557656, at *3
22 (S.D. Cal. Apr. 10, 2019) (granting motions to seal "confidential business information
23 of the parties, including trade secrets, proprietary business records, discussions of
24 internal strategy, company dealings, and materials designated as 'Highly
25 Confidential'").

26 Accordingly, Entropic respectfully requests that this Court order the unredacted
27 documents to be filed under seal. Concurrent with this filing, Entropic has filed
28

1 redacted versions of these documents with the Court, which only redact information
2 necessary to protect confidential, private, and otherwise non-public information therein.
3

4 Dated: December 15, 2023

Respectfully Submitted,

5 By: /s/ Cassidy T. Young
6 Christina N. Goodrich (SBN 261722)
7 Cassidy T. Young (SBN 342891)
8 **K&L GATES LLP**
9 10100 Santa Monica Blvd., 8th Fl.
10 Los Angeles, CA 90067
11 Tel.: (310) 552-5547
12 Fax: (310) 552-5001
13 christina.goodrich@klgates.com
14 cassidy.young@klgates.com

15 James A. Shimota (*pro hac vice*)
16 Samuel P. Richey (SBN 278444)
17 Katherine L. Allor (*pro hac vice*)
18 70 W. Madison Street, Ste 3300
19 Chicago, Illinois 60602
20 Telephone: (312) 807-4299
21 Fax: (312) 827-8000
22 jim.shimota@klgates.com
23 samuel.richey@klgates.com
24 katy.allor@klgates.com

25 Peter E. Soskin (SBN 280347)
26 4 Embarcadero Center, Ste 1200
27 San Francisco, CA 94111
28 Telephone: (415) 882-8220
peter.soskin@klgates.com

***Attorneys for Plaintiff, Entropic
Communications, LLC***